

**VIRGINIA BOARD OF NURSING
VIRGINIA BOARD OF MEDICINE**

TITLE OF REGULATIONS: 18 VAC 90-30-10 et seq.

REGULATIONS GOVERNING THE LICENSURE OF NURSE PRACTITIONERS

Continuing Competency

Effective:

18 VAC 90-30-20. Delegation of authority.

- A. The boards hereby delegate to the executive director of the Virginia Board of Nursing the authority to issue the initial licensure and the biennial renewal of such licensure to those persons who meet the requirements set forth in this chapter and to grant extensions for compliance with continuing competency requirements as set forth in subsection E of 18 VAC 90-30-105. Questions of eligibility shall be referred to the Committee of the Joint Boards of Nursing and Medicine.
- B. All records and files related to the licensure of nurse practitioners shall be maintained in the office of the Virginia Board of Nursing.

18 VAC 90-30-100. Renewal of licensure.

- A. Licensure as a nurse practitioner shall be renewed biennially at the same time the license to practice as a registered nurse in Virginia is renewed.
- B. The application for renewal of the license shall be mailed by the committee to the last known address of each nurse practitioner.
- C. The licensed nurse practitioner shall complete the application and return it with his signature attesting to compliance with continuing competency requirements prescribed in 18 VAC 90-30-105 and the license renewal fee prescribed in 18 VAC 90-30-50.

18 VAC 90-30-105. Continuing competency requirements.

- A. In order to renew a license biennially, a nurse practitioner initially licensed on or after [May 8, 2002] shall hold current professional certification in the area of specialty practice from one of the certifying agencies designated in 18 VAC 90-30-90.

- B. In order to renew a license biennially on or after January 1, 2004, nurse practitioners licensed prior to [May 8, 2002] shall meet one of the following requirements:
1. Hold current professional certification in the area of specialty practice from one of the certifying agencies designated in 18 VAC 90-30-90; or
 2. Complete at least 40 hours of continuing education in the area of specialty practice approved by one of the certifying agencies designated in 18 VAC 90-30-90.
- C. The nurse practitioner shall retain evidence of compliance and all supporting documentation for a period of four years following the renewal period for which the records apply.
- D. The boards shall periodically conduct a random audit of at least one~~[to two]~~ percent of its licensees to determine compliance. The nurse practitioners selected for the audit shall provide the evidence of compliance and supporting documentation with 30 days of receiving notification of the audit.
- E. The boards may grant an extension of the deadline for continuing competency requirements, for up to one year, for good cause shown upon a written request from the licensee prior to the renewal date.
- F. The boards may delegate to the committee the authority to grant an exemption for all or part of the requirements for circumstances beyond the control of the licensee, such as temporary disability, mandatory military service, or officially declared disasters.

18 VAC 90-30-220. Grounds for disciplinary action against the license of a licensed nurse practitioner.

The boards may deny licensure or relicensure, revoke or suspend the license, or place on probation, censure or reprimand a nurse practitioner upon proof that the nurse practitioner:

1. Has had his license to practice nursing in this Commonwealth or in another jurisdiction revoked or suspended or otherwise disciplined;
2. Has directly or indirectly held himself out or represented himself to the public that he is a physician, or is able to, or will practice independently of a physician;
3. Has exceeded his authority as a licensed nurse practitioner;
4. Has violated or cooperated in the violation of the laws or regulations governing the practice of medicine, nursing or nurse practitioners;
5. Has become unable to practice with reasonable skill and safety to patients as the result of physical or mental illness or the excessive use of alcohol, drugs, narcotics, chemicals, or any other type of material; ~~or~~
6. Has violated or cooperated with others in violating or attempting to violate any law or regulation, state or federal, relating to the possession, use, dispensing, administration, or distribution of drugs; or
7. Has failed to comply with continuing competency requirements as set forth in 18 VAC 90-30-

**VIRGINIA BOARD OF NURSING
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TITLE OF REGULATIONS: 18 VAC 90-40-10 et seq.

**REGULATIONS FOR PRESCRIPTIVE AUTHORITY FOR LICENSED
NURSE PRACTITIONERS**

Continuing Competency

Effective:

18 VAC 90-40-20. Authority and administration of regulations.

- A. The statutory authority for these regulations is found in § 54.1-2957.01, § 54.1-3303, § 54.1-3401, and § 54.1-3408 of the Code of Virginia.
- B. Joint boards of nursing and medicine.
 - 1. The Committee of the Joint Boards of Nursing and Medicine shall be appointed to administer these regulations governing prescriptive authority.
 - 2. The boards hereby delegate to the Executive Director of the Virginia Board of Nursing the authority to issue the initial authorization and biennial renewal to those persons who meet the requirements set forth in this chapter and to grant extensions for compliance with continuing competency requirements as set forth in subsection E of 18 VAC 90-40-55. Questions of eligibility shall be referred to the committee.
 - 3. All records and files related to prescriptive authority for nurse practitioners shall be maintained in the office of the Board of Nursing.

18 VAC 90-40-50. Renewal of prescriptive authority.

An applicant for renewal of prescriptive authority shall:

- 1. Renew biennially at the same time as the renewal of licensure to practice as a nurse practitioner in Virginia.
- 2. Submit a completed renewal application along with his signature attesting to compliance with continuing competency requirements set forth in 18 VAC 90-40-55 and the renewal fee as prescribed in 18 VAC 90-40-70 of this chapter.
- 3. Submit a new practice agreement which meets the requirements of 18 VAC 90-40-90 with

the renewal application if there has been a change since the last practice agreement was filed.

18 VAC 90-40-55. Continuing competency requirements.

- A. In order to renew prescriptive authority, a licensee shall meet continuing competency requirements for biennial renewal as a licensed nurse practitioner. Such requirements shall address issues such as ethical practice, an appropriate standard of care, patient safety, and appropriate communication with patients.
- B. In addition to the minimal requirements for compliance with subsection B of 18 VAC 90-30-105, a nurse practitioner with prescriptive authority shall obtain eight hours of continuing education in pharmacology or pharmacotherapeutics for each biennium.
- C. The nurse practitioner with prescriptive authority shall retain evidence of compliance and all supporting documentation for a period of four years following the renewal period for which the records apply.
- D. The boards shall periodically conduct a random audit of at least one ~~to two~~ percent of its licensees to determine compliance. The nurse practitioners selected for the audit shall provide the evidence of compliance and supporting documentation with 30 days of receiving notification of the audit.
- E. The boards may grant an extension of the deadline for continuing competency requirements, for up to one year, for good cause shown upon a written request from the licensee prior to the renewal date.
- F. The boards may delegate to the committee the authority to grant an exemption for all or part of the requirements for circumstances beyond the control of the licensee, such as temporary disability,

mandatory military service, or officially declared disasters.

18 VAC 90-40-60. Reinstatement of prescriptive authority.

- A. A nurse practitioner whose prescriptive authority has lapsed may reinstate within one renewal period by payment of the current renewal fee and the late renewal fee.
- B. A nurse practitioner who is applying for reinstatement of lapsed prescriptive authority after one renewal period shall:
 - 1. File the ~~required~~ application and practice agreement as required for renewal in 18 VAC 90-40-50;
 - 2. Provide evidence of a current, unrestricted license to practice as a nurse practitioner in Virginia;
 - 3. Pay the fee required for reinstatement of a lapsed authorization as prescribed in 18 VAC 90-40-70; and
 - 4. If the authorization has lapsed for a period of ~~five~~ two or more years, the applicant must provide proof of:
 - a. Continued practice as a licensed nurse practitioner with prescriptive authority in another state; or
 - b. Continuing education, in addition to the minimal requirements for current professional certification, consisting of 30 four contact hours in pharmacology or pharmacotherapeutics for each year in which the prescriptive authority has been lapsed in the Commonwealth, not to exceed a total of 16 hours.
- C. An applicant for reinstatement of suspended or revoked authorization shall:

1. Request a hearing pursuant to the provisions of the Virginia Administrative Process Act (~~§9-6.14.1~~ § 2.2-4000 of the Code of Virginia) to be held before the committee;
2. Present evidence of competency to resume practice as a nurse practitioner with prescriptive authority;
3. Pay the fee for reinstatement of a suspended or revoked authorization as prescribed in 18 VAC 90-40-70; and
4. Meet the qualifications and resubmit the application required for initial authorization in 18 VAC 90-40-40.

18 VAC 90-40-130. Grounds for disciplinary action.

The boards may deny approval of prescriptive authority, revoke or suspend authorization, or take other disciplinary actions against a nurse practitioner who:

1. Exceeds his authority to prescribe or prescribes outside of the written practice agreement with the supervising physician.
2. Has had his license as a nurse practitioner suspended, revoked or otherwise disciplined by the boards pursuant to 18 VAC 90-30-220 and 18 VAC 85-70-220.
3. Fails to comply with requirements for continuing competency as set forth in 18 VAC 90-40-

55.